

MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION

May 19, 2009

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** - The meeting of the Board of Technical Registration was called to order at 9:31 AM by Chair Susan Schaefer Kliman.
2. **ROLL CALL** - Board Members in Attendance: Sheila Bowen, Karen Cesare, Stuart Lane, Chet Pearson, Claudia Perchinelli, Susan Schaefer Kliman, and Howell "Chip" Shay. Absent: Dawn Garcia and Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Melissa Cornelius.
3. **CALL TO THE PUBLIC** - No members of the public spoke.
4. **ADOPTION OF MINUTES** - Ms. Cesare moved to approve the April 28, 2009 minutes with minor corrections. Mr. Lane seconded. Motion Carried.
5. **ENFORCEMENT MATTERS**
Review, Consideration and Possible Vote on the following:
 - A. **Proposed Dismissals**
 1. M09-031, Daniel R. Muth, Land Surveyor #31028 - Mr. Lane moved to dismiss the allegations against Mr. Muth. Ms. Cesare seconded. After discussion, Motion Carried.
 2. M09-054, Robert P. Acken, Land Surveyor #41659 - Mr. Lane moved to dismiss the allegations against Mr. Acken. Mr. Shay seconded. After discussion, Motion Carried.
 - B. **Proposed Letters of Concern**
 1. M09-052, Felix G. Steele, Land Surveyor #28234 - Mr. Lane moved to remand this matter back to Staff for further investigation via an Enforcement Advisory Committee interview. Mr. Shay seconded. After discussion, Motion Carried.
 2. M09-096, Robert J. Jedinak, Land Surveyor #15332 - Mr. Lane moved to issue a Letter of Concern to Respondent for failure to record his survey in a timely manner. Ms. Cesare seconded. After discussion, Motion Carried.

C. Proposed Consent Agreements

1. M06-300, Bruce H. Bosshard, P.E. (Civil) #31513 – Ms. Bowen moved to accept Respondent's signed consent agreement encompassing the following: Letter of Concern and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$500.00. Ms. Perchinelli seconded. After discussion, Motion Failed.

Mr. Shay moved to remand this matter back to Staff to negotiate a consent agreement with Respondent for a Letter of Reprimand, Restriction of Practice in areas outside his area of expertise and Peer Review of the next three (3) projects, and cost of investigation. If a consent agreement is not obtained this matter is referred to formal hearing. Ms. Bowen seconded. After discussion, Motion Carried.

D. Proposed Enforcement Advisory Committee Candidate

1. Ronald J. Barbala, Land Surveyor #33307 – Mr. Lane moved to approve Mr. Barbala as an Enforcement Advisory Committee member. Ms. Bowen seconded. After discussion, Motion Carried.

6. Review, Consideration, and Possible Vote on the following:

EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION

A. Applicants For Registration

1. Charles B. Haswell – Architect Applicant #090503 – Mr. Shay moved to grant Mr. Haswell registration. Ms. Bowen seconded. After discussion, Motion Carried.
2. Dennis R. Holloway – Architect Applicant #090422 – Mr. Shay moved to grant Mr. Holloway registration. Ms. Cesare seconded. After discussion, Motion Carried

B. Applicant For Examination

1. Patrick Hallman – Architect Applicant #030595 – Mr. Hallman addressed the Board. Mr. Shay moved to make an exception to the Arizona rule to extend the "rolling clock" period to December 31, 2009 to allow Mr. Hallman to take the new structural systems examination. Mr. Lane seconded. After discussion, Motion Carried.

7. Review, Consideration, and Possible Vote on the following:

EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination
3. Recommendation for denial of professional or in training examination
4. Recommendation for denial of professional or in training registration

Mr. Lane moved to accept the committee and staff recommendations listed in item 8.
Ms. Bowen seconded. Motion Carried.

8. DIRECTOR'S REPORT – Mr. Dalrymple advised:

Rule Changes:

All rule making activity is still on hold for an undetermined period. The exceptions are for rules that have a critical health, safety, and welfare component. None of the rules under consideration by the Board before the suspension was initiated qualify for an exemption.

Staffing Report:

The Board is now down four (4) positions due to the hiring freeze.

LaVern Douglas, Deputy Director is retiring as of May 29, 2009. The Board has received permission to bring Ms. Douglas back at 19 hours per week and to hire a full time Licensing Manager to fill the full time position she has held for almost 30 years.

Budget:

We are now in the last quarter of this fiscal year and it appears our revenues will be sufficient to cover anticipated expenditures. The 10-month bottom line is that the Board's expenditures are about \$100,000 lower than its total revenue.

The Governor's office is still predicting possible budget reductions up to 20% (that's equal to \$340,000) for this fiscal year. We have queried the Governor's office and the Legislative Budget Committee and have been told that there is nothing we need to do at this time.

Board Appointments

We have not received any information indicating there have been any new appointments to the Board.

9. BOARD CHAIR'S REPORT – Nothing at this time.

10. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee ("L&R") – Dr. Schaefer Kliman advised L&R met after the April 24, 2009 Board meeting. There will be some articles forthcoming for the Board's quarterly news letter, one of which will be prepared by Ms. Bowen and Mr. Lane regarding professional seals on as-built drawings. This information will be provided to reviewing municipalities. The next L&R meeting will be held after the Board's regularly scheduled July 28, 2009 meeting.
2. Budget Committee – Mr. Dalrymple advised the Board appears to be able to make it through this year and won't have any information on FY2010 until we hear from the Legislature.
3. Home Inspector Rules and Standards Committee ("HIRS") – Mr. Shay advised the HIRS Committee is scheduled to meet on Wednesday, May 20, 2009 and he will report information at next month's meeting.

4. Environmental Remediation Rules and Standards Committee ("ERRS") – Nothing to report.

11. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying ("NCEES") – Nothing to report. Ms. Perchinelli will be attending the Western Zone meeting this June in Alberta Canada and will have a report at next month's meeting.
2. National Council of Architectural Registration Boards ("NCARB") – Dr. Schaefer Kliman advised there have been issues raised about cheating on the examinations. Recently eight applicants were disciplined when NCARB determined they had cheated. Information is being shared via blogs and message boards on the internet. Should information regarding exam questions or scenarios be found, NCARB will shut-off the examinations which will affect everyone in the process.
3. Council of Landscape Architectural Registration Boards ("CLARB") – Nothing to report.
4. National Association of State Boards of Geology ("ASBOG") – Nothing to report.

12. FUTURE BOARD MEETINGS – Tuesday, June 23, 2009 at 9:30 AM.

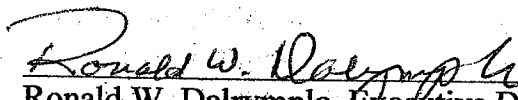
13. FUTURE AGENDA ITEMS

None at this time

14. ADJOURNMENT – Meeting adjourned at 10:30 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION


Dr. Susan Schaefer Kliman, Chair


Ronald W. Dalrymple, Executive Director